

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CAMILE SIANO ENDERS,

Plaintiff,

DECLARATION

-against-

19-CV-00948
(BKS/CMF)

JERRY BOONE, et al.

Defendants.

John Scott Gullie, on the date noted below and pursuant to 28 U.S.C. §1746, declares the following to be true and correct under penalty of perjury under the laws of the United States:

1. I am not a Defendant in this action, but I submit this declaration in support of the Defendants' motion for summary judgment.
2. This declaration is based upon my review of the records made and maintained by the New York State Department of Taxation and Finance ("DTF") in the regular course of business.
3. I served as the Assistant Director of the DTF's Office of Internal Affairs ("OIA").
4. The OIA conducts investigation into misconduct by DTF employees.
5. DTF uses the Leave and Accrual Tracking System ("LATS") to keep employees' time. In LATS, employees have the option to select different types of chargeable leave. For example, if an employee is going to be absent for part of a day, she can charge the appropriate amount of hours to leave and work the remainder of her shift. At the end of the pay period, the employee must certify that she has charged the appropriate leave. DTF relies upon those certifications in keeping track of time. When an employee falsely certifies she has been working

for an entire day when she has actually been doing other things, DTF pays the employee without deducting any leave. Under those circumstances, the employee has effectively stolen the value of the leave time that should have been charged.

6. In 2016, OIA began an investigation into Camile Siano Enders' ("Plaintiff") alleged misuse of DTF resources, including her time and the time of other DTF employees for political purposes.

7. Part of the investigation into Plaintiff consisted of pulling the timesheets for the period of March 24, 2016 through August 10, 2016. A true and correct copy of Plaintiff's timesheets in the LATS system are attached hereto as **Exhibit A**.

8. This investigation included taking a sworn statement and collecting typed notes from Plaintiff's administrative assistant, Lynn Rivers. Ms. Rivers' sworn affidavit indicates that she observed Plaintiff frequently discussing her campaign at work and that Plaintiff was frequently absent from work. A true and correct copy of Ms. Rivers' affidavit is attached hereto as **Exhibit B**. A true and correct copy of Ms. Rivers' typed notes are attached hereto as **Exhibit C**.

9. Based on the evidence supplied by Ms. Rivers, OIA looked at Plaintiff's timesheets in LATS. A comparison of Ms. Rivers' sworn statements and her notes to the timesheets that Plaintiff certified in LATS reveals there were times that Plaintiff did not charge leave when she was out of the office for political purposes. Further, it appears that Plaintiff did not appropriately charge leave while conducting non-DTF business while physically present at DTF.

10. A true and correct copy of OIA's comparison of Ms. River's notes against Plaintiff's timesheets is attached hereto as **Exhibit D**.

11. Part of the OIA investigation included a sworn affidavit from Lisa Suprenant, an administrative assistant at DTF. Ms. Suprenant's sworn statement indicates that Plaintiff discussed

the political campaign at DTF. A true and correct copy of Ms. Suprenant's sworn affidavit is attached hereto as **Exhibit E**.

12. The OIA's investigation revealed evidence that Plaintiff conducted her political campaign, in part, physically at DTF and on DTF time.

13. I accordingly ask the Court to grant Defendants' motion for summary judgment in its entirety.



John Scott Gullie

Dated: July 20, 2022
AUGUSTA, New York

Exhibit A

TimesheetSupervisor: KATHERINE M SCHANZ
FY: 2015 - 27 (3/24/2016 to 4/6/2016)Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997

Work Location:

Status: Processed
Submitted Date: 4/7/2016 12:46:46 PM
Approved Date: 4/8/2016 12:52:24 PM Print Close

	3/24/2016	3/25/2016	3/26/2016	3/27/2016	3/28/2016	3/29/2016	3/30/2016	3/31/2016	4/1/2016	4/2/2016	4/3/2016	4/4/2016	4/5/2016	4/6/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
Present	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Absent	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OT meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0	7.50	0	0	0	0	0	0	0	1.50	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-family	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Personal	1.50	0	0	0	0	0	0	0	0	0	0	0	0	0
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Floater	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRWS	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Balances and Earnings						
Balance Projection	Vacation	Sick	Personal	Non Comp	Holiday	Floater
Starting Balances	146.25	309.50	35.50	0	0	0
Charges	9.00	0	1.50	0	0	0
Earnings	5.75	0	0	0	0	0
Ending Balances	143.00	309.50	34.00	0	0	0

Miscellaneous Category Balances						
DRP MC						
Balance						
Charge						
Ending Balance						

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TimesheetSupervisor: KATHERINE M SCHANZ
FY: 2016 - 1 (4/7/2016 to 4/20/2016)Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997

Work Location:

Status: Processed
Submitted Date: 4/21/2016 8:49:07 AM
Approved Date: 4/22/2016 2:17:10 PM

	4/7/2016	4/8/2016	4/9/2016	4/10/2016	4/11/2016	4/12/2016	4/13/2016	4/14/2016	4/15/2016	4/16/2016	4/17/2016	4/18/2016	4/19/2016	4/20/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
Present	<input checked="" type="checkbox"/>													
Absent	<input checked="" type="checkbox"/>													
OT meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0.50	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-family	0	0	0	0	0	0	0	7.50	0	0	0	0	0	0
Personal	0	0	0	0	0	0	0	0	0	4.00	0	0	0	0
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Floater	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRWS	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Balances and Earnings

Balance Projection	Vacation	Sick	Personal	Non Comp	Holiday	Floater	VRWS
Starting Balances	143.00	309.50	34.00	0	0	0	0
Changes	0.50	7.50	4.00	0	0	0	0
Earnings	5.75	0	0	0	0	0	0
Ending Balances	148.25	302.00	30.00	0	0	0	0

Miscellaneous Category Balances

	DRP MC						
Balance	0						
Change	0						
Ending Balance	0						

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Timesheet

Supervisor: KATHERINE M SCHANZ
FY: 2016 - 2 (4/21/2016 to 5/4/2016)Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997Status: Processed
Submitted Date: 5/5/2016 12:42:29 PM
Approved Date: 5/9/2016 8:59:17 AM

Work Location:

	4/21/2016	4/22/2016	4/23/2016	4/24/2016	4/25/2016	4/26/2016	4/27/2016	4/28/2016	4/29/2016	4/30/2016	5/1/2016	5/2/2016	5/3/2016	5/4/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
Present	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OT meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-family	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Personal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Floater	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRWS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BCS - Leave for Breast Cancer Screening														
	0	0	0	0	0	0	0	0	0	0	0	0	0	1.75

Balances and Earnings

Balance Projection	Vacation	Sick	Personal	Non Comp	Holiday	Floater	VRWS
Starting Balances	148.25	302.00	30.00	0	0	0	0
Charges	0	0	5.25	0	0	0	0
Earnings	5.75	0	0	0	0	0	0
Ending Balances	154.00	302.00	24.75	0	0	0	0

Miscellaneous Category Balances

DRP MC	Balance	Charge	Ending Balance
0	0	0	0
0	0	0	0
0	0	0	0

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Timesheet

Supervisor: KATHERINE M SCHANZ
FY: 2016 - 3 (5/5/2016 to 5/18/2016)

Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997

Status: Processed
Submitted Date: 5/23/2016 11:47:11 AM
Approved Date: 5/25/2016 9:56:37 AM

Work Location:

http://lats/Timesheet/Print.aspx?print_page=0&tsx=781442016832&child=yes&modal=yes

	5/5/2016	5/6/2016	5/7/2016	5/8/2016	5/9/2016	5/10/2016	5/11/2016	5/12/2016	5/13/2016	5/14/2016	5/15/2016	5/16/2016	5/17/2016	5/18/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
Present	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
Absent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
OT meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-family	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Personal	0	0	0	0	1.25	0	0	0	0	0	0	0	0	0
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Floatar	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRWS	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Balances and Earnings						
	Vacation	Sick	Personal	Non Comp	Holiday	Floatar
Balance Projection	154.00	302.00	24.75	0	0	0
Starting Balances	0	0	10.50	0	0	0
Charges						
Earnings	5.75	0	0	0	0	0
Ending Balances	159.75	302.00	14.25	0	0	0

Miscellaneous Category Balances				
	DRP MC	DRP MC	DRP MC	DRP MC
Balance	0	0	0	0
Charge	0	0	0	0
Ending Balance	0	0	0	0

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Timesheet

Supervisor: KATHERINE M SCHANZ
FY: 2016 - 4 (5/19/2016 to 6/1/2016)

Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997

Work Location:

Status: Processed
Submitted Date: 6/2/2016 3:06:33 PM
Approved Date: 6/3/2016 9:26:39 AM

Holiday - 5/30/2016

	5/19/2016	5/20/2016	5/21/2016	5/22/2016	5/23/2016	5/24/2016	5/25/2016	5/26/2016	5/27/2016	5/28/2016	5/29/2016	5/30/2016	5/31/2016	6/1/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
Present	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
Absent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O/T meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-family	0	7.50	0	0	0	0	0	0	0	0	0	0	0	0
Personal	0	0	0	0	2.00	0.75	0	3.00	0	0	0	0	0	1.00
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Foater	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRWS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HOL - State Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Balances and Earnings

Balance Projection	Vacation	Sick	Personal	Non Comp	Holiday	Floater	VRWS
Starting Balances	159.75	302.00	14.25	0	0	0	0
Charges	0	7.50	6.75	0	0	0	0
Earnings	5.75	0	0	0	0	0	0
Ending Balances	165.50	294.50	7.50	0	0	0	0

Miscellaneous Category Balances

	DRP MC	Balance	Charge	Ending Balance



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Timesheet

Supervisor: KATHERINE M SCHANZ
FY: 2016 - 5 (6/2/2016 to 6/15/2016)Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997Status: Processed
Submitted Date: 6/16/2016 4:41:02 PM
Approved Date: 6/17/2016 2:30:47 PM

Work Location:

 Print Close

	6/2/2016	6/3/2016	6/4/2016	6/5/2016	6/6/2016	6/7/2016	6/8/2016	6/9/2016	6/10/2016	6/11/2016	6/12/2016	6/13/2016	6/14/2016	6/15/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
Present	<input checked="" type="checkbox"/>													
Absent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
OT meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0	2.00	0	0	0	0	0	0	0	0	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-family	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Personal	0	1.00	0	0	0	0	0	0	0	0	0	0	0.50	0
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Floater	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRNS	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Balances and Earnings

Balance Projection	Vacation	Sick	Personal	Non Comp	Holiday	Floater	VRWS
Starting Balances	165.50	294.50	7.50	0	0	0	0
Charges	2.00	3.00	7.00	0	0	0	0
Earnings	5.75	0	0	0	0	0	0
Ending Balances	169.25	291.50	0.50	0	0	0	0

Miscellaneous Category Balances

DRP MC	Balance	Charge	Ending Balance
0	0	0	0

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Timesheet

Supervisor: KATHERINE M SCHANZ
FY: 2016 - 6 (6/16/2016 to 6/29/2016)Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997

Work Location:

Status: Processed
Submitted Date: 7/6/2016 2:17:42 PM
Approved Date: 7/6/2016 4:12:52 PM

	6/16/2016	6/17/2016	6/18/2016	6/19/2016	6/20/2016	6/21/2016	6/22/2016	6/23/2016	6/24/2016	6/25/2016	6/26/2016	6/27/2016	6/28/2016	6/29/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
AWS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Present	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Earned VRWS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OT meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0	0	0	1.50	1.00	0	0	0	0	0	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0.25
Sick-family	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Personal	0	0	0	0.50	0	0	0	0	0	0	0	0	0	0
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Floater	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRWS	0	0	0	0	0	1.25	0	0	0	0	0	0	0	0

Balances and Earnings

Balance Projection	Vacation	Sick	Personal	Non Comp	Holiday	Floater	VRWS
Starting Balances	169.25	291.50	0.50	0	0	0	0
Charges	2.50	3.75	0.50	0	0	0	1.25
Earnings	10.00	0	0	0	0	0	7.50
Ending Balances	176.75	287.75	0	0	0	0	6.25
Miscellaneous Category Balances							
DRP MC							
Balance							0
Charge							0
Ending Balance							0

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Timesheet

Supervisor: KATHERINE M SCHANZ
FY: 2016 - 7 (6/30/2016 to 7/13/2016)Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997Status: Processed
Submitted Date: 7/14/2016 9:24:32 AM
Approved Date: 7/14/2016 9:43:49 AM

Work Location:

 Print Close

Holiday - 7/4/2016

	6/30/2016	7/1/2016	7/2/2016	7/3/2016	7/4/2016	7/5/2016	7/6/2016	7/7/2016	7/8/2016	7/9/2016	7/10/2016	7/11/2016	7/12/2016	7/13/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
AWS	<input checked="" type="checkbox"/>													
Present	<input checked="" type="checkbox"/>													
Absent	<input checked="" type="checkbox"/>													
Earned	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRWS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OT meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-family	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Personal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Floater	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRWS	3.25	0	0	0	0	0	0	7.50	0	0	0	0	0	0.50
HOL - State Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Balances and Earnings

Balance Projection	Vacation	Sick	Personal	Non Comp	Holiday	Floater	VRWS
Starting Balances	176.75	287.75	0	0	0	0	6.25
Charges	0	0	0	0	0	0	11.25
Earnings	5.00	0	0	0	0	0	7.50
Ending Balances	181.75	287.75	0	0	0	0	2.50

Miscellaneous Category Balances

DRP MC
Balance
Charge
Ending Balance

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Timesheet

Supervisor: KATHERINE M SCHANZ
Fy: 2016 - 3 (7/14/2016 to 7/27/2016)

Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997
Approved Date:

Work Location:

	7/14/2016	7/15/2016	7/16/2016	7/17/2016	7/18/2016	7/19/2016	7/20/2016	7/21/2016	7/22/2016	7/23/2016	7/24/2016	7/25/2016	7/26/2016	7/27/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
AWS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Present	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Absent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Earned VRNS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CJT meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-Family	0	0	0	0	4.00	0	0	0	0	0	0	0	0	0
Personal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fleater	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRNS	0	1.00	0	0	0	0	2.25	1.25	0.50	0	0	0	0	0.75
														4.00

Balances and Earnings

Balance Projection	Vacation	Sick!	Personal	Non Comp	Holiday	Floater	VRNS
Starting Balances	181.75	287.75	0	0	0	0	2.50
Charges	0	4.00	0	0	0	0	9.75
Earnings	5.00	0	0	0	0	0	7.50
Tentative Balances	186.75	283.75	0	0	0	0	0.25

Miscellaneous Category Balances

DRP MC	Balance	Charge	Ending Balance
0	0	0	0

Printable Page

Page 2 of 2

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http://lats/Timesheet/Print.aspx?print_page=0&tsx=781462016822&child=ves&modal=ves

DEFS000761

8/8/2016

Timesheet

Supervisor: KATHERINE M SCHANZ
FY: 2016 - 9 (7/28/2016 to 8/10/2016)

Name: CAMILLE SIANO ENDERS
Vacation: 2/18/1997
Personal: 2/18/1997

Work Location:

Status: Un-Submitted
Submitted Date:
Approved Date:

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Missing Time

	7/28/2016	7/29/2016	7/30/2016	7/31/2016	8/1/2016	8/2/2016	8/3/2016	8/4/2016	8/5/2016	8/6/2016	8/7/2016	8/8/2016	8/9/2016	8/10/2016
	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed
AWS														
Present														
Absent														
Earned VRWS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OT meal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vacation	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-regular	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sick-family	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Personal	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NonComp	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Holiday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Floater	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VRWS	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Balances and Earnings

	Balance Projection	Vacation	Sick	Personal	Non Comp	Holiday	Floater	VRWS
Starting Balances		186.75	283.75	0	0	0	0	0.25
Charges	0	0	0	0	0	0	0	0
Earnings	0	27.00	0	0	0	0	0	7.50
Tentative Balances	186.75	310.75	0	0	0	0	0	7.75
DRP MC								0
Balance								0
Charge								0
Ending Balance								0

Miscellaneous Category Balances

	DRP MC	Balance	Charge	Ending Balance
DRP MC				0
Balance				0
Charge				0
Ending Balance				0

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Exhibit B



New York State Department of Taxation and Finance

Office of Internal Affairs

OIA-23

(1/14)

Affidavit

State of
New York
County ofALBANYPage 1 of 5I, Wmn RIVERS

, Date of birth

-60-

, state that:

WORK ~~reside at~~ NYS DTF AS A SEC. II (6-1S) AT THE NEW YORK STATE DEPT. OF TAX. & FINANCE AS A SECRETARY 2 AT BCMS, BLDG. 9, RM. 180, 1ST FLOOR, STATE OFFICE CAMPUS, ALBANY, NY 12227. (BCMS = BUREAU OF CONCILIATION & MEDIATION SERVICES) I HAVE WORKED IN BCMS FOR APPROX. 5 YEARS. & I AM A TAX EMPLOYEE FOR 35.5 YRS.

- (P) - 4/7/16 - CAMILLE SIANO ENDERS ARRIVED LATE TO WORK (9:30) DUE TO A BREAKFAST MEETING ON CAMPAIGN STRATEGY.
- 4/11/16 - CAMILLE SIANO ENDERS MET A FRIEND(DOWNTOWN TO DISCUSS POLITICAL CAMPAIGN STRATEGIES FOR AN EXTENDED LUNCH (11:45 - 1:45))
- 4/15/16 - CAMILLE SIANO ENDERS ("CAMILLE") LEFT AT 2:30 TO TRAVEL FOR A POLITICAL EVENT.

I have read the foregoing statement consisting of 5 page(s). I made this statement freely and voluntarily, without any threats or rewards or promises of reward having been made to me in return for it.

I understand that knowingly making a false written statement is punishable as a Class A Misdemeanor pursuant to section 210.45 of the New York State Penal Law.

Subscribed and sworn to
before me this 18 day

of August, 20 16

at 1:24pm WA Harriman Campus
Michele Smolofshe
Name
Bldg 8
Rm 938
Albany NY

Signature

Criminal Investigator

Title

Signature of affiant

Jynn A. Rein

Wmn A. RIVERS

A. DelGiacco

Printed name of witness

A. DelGiacco

Signature of witness



New York State Department of Taxation and Finance

Office of Internal Affairs

OIA-23-C

(1/14)

Affidavit ContinuationAffiant's name LYNN A. RIVERSAffiant's initials (P)Page 2 of 5 Date 8-9-16Witness's initials (AD)

- 4/18/16 - CAMILLE TOOK A LONG LUNCH (11:30-1:00) TO PLACE CALLS FOR HER CAMPAIGN BUSINESS FROM HER CAR;
- 4/21/16 - CAMILLE MADE POLITICAL CALLS FROM HER CAR (FROM: 12:00-1:30) USING 2ND/ CELL. PHONE.
- 4/26/16 - CAMILLE LEFT EARLY (2:00) TO GO TO CANTON, NY FOR A POLITICAL EVENT.
- 5/9/16 - CAMILLE CAME IN LATE (10:00) AFTER ATTENDING A POLITICAL EVENT BREAKFAST.
- 5/10/16 - CAMILLE ARRIVED TO WORK LATE (10:30) AFTER ATTENDING A BREAKFAST POLITICAL EVENT/ MTG.
- 5/11/16 - CAMILLE USED HER PERS. CELL. PH. IN OFFICE TO DISCUSS HER POLITICAL CAMPAIGN FROM (3:45-4:05 P.M.)
- 5/13/16 - CAMILLE LEFT EARLY (11:15) TO ATTEND 2 POLITICAL EVENTS / DRIVE TO LX. PACIO, NY.
- 5/19/16 - CAMILLE USED PERS. CELL. PH. IN HER OFFICE & DISCUSSED POLITICAL CAMPAIGN (4:45-5:00+).
- 5/23/16 - CAMILLE ARRIVED LATE (11:00) TO WORK FOLLOWING A POLITICAL NETWORKING EVENT.
- 5/25/16 - CAMILLE ENGAGED IN A CAMPAIGN DISCUSSION w/ A STAFFER & DISCUSSED TOWN POLITICS & FUNDRAISING ON HER PERS. CELL. PH. & IN HER OFFICE DURING WORK HRS. (4:15-4:45 PM).
- 5/26/16 - CAMILLE LEFT EARLY (11:00) TO TRAVEL TO ~~WATER~~^(AD) PACIO FOR A POLITICAL EVENT.



New York State Department of Taxation and Finance
Office of Internal Affairs

OIA-23-C
(1/14)

Affidavit Continuation

Affiant's name Wynn A. RIVERA

Affiant's initials PR

Page 3 of 5 Date 8-9-16

Witness's initials AB

- 6/1/16 - (AMIQUE REC'D. A POLITICAL-RELATED CALL AT WORK ON THE OFFICE PHONE & STATED SHE "COULD NOT TALK ABOUT THIS RIGHT NOW" (AT 2:15 P.M.)
- 6/3/16 - (AMIQUE ARRIVED (10:45) LATE FROM DR. APPT. (CHARGED TIME?), THEN MET A FRIEND DOWNTOWN FOR A POLITICAL-RELATED "WORKING LUNCH" (11:45-2:15 P.M.) & AFTER HER RETURN WENT TO HER CAR TO MAKE POLITICAL CALLS (2:45-3:15 P.M.)
- 6/9/16 - CAMILLE LEFT (AT 1:30) EARLY FOR A POLITICAL EVENT HELD IN CANTON, NY.
- ⑩ - 6/10/16 - CAMILLE WENT TO HER CAR TO MAKE POLITICAL-RELATED PHONE CALLS AT 1:15, AFTER ALREADY TAKING LUNCH AND GOING FOR A WALK.
- 6/13/16 - CAMILLE & RICHARD ERNST DISCUSSED UPCOMING POLITICAL EVENTS IN HIS OFFICE (1:00-1:15).
- 6/13/16 - CAMILLE DISCUSSED HER CAMPAIGN UPCOMING POLITICAL EVENTS AT STAFF LEVEL (IN OUR OFFICE) (12:30-12:45 P.M.).
- 6/16/16 - CAMILLE & RICHARD ERNST DISCUSSED POLITICAL STRATEGIES/UPCOMING POLITICAL EVENTS & STAFF (CAMPAIGN WORKERS) & WAS GIVEN A POLITICAL 'PALM CARD' OF HER'S (IN TOP DRAWER OF DESK) IN HIS OFFICE (4:00-4:15 P.M.).
- 6/29/16 - CAMILLE & RICHARD ERNST DISCUSSED WORDING FOR POLITICAL INFO. TO SEND/TEXT TO HER FRIENDS/CAMPAGNA STAFFER (THEY STATED) & WHETHER TO USE MAIL VS. E-MAIL TO SEND LTR/ATTACHMENTS (10:45-11:00 & 4:20-4:35 P.M.)

DEFS000724



New York State Department of Taxation and Finance
Office of Internal Affairs

OIA-23-C
(1/14)

Affidavit Continuation

Affiant's name WINN A. RIVERA

Affiant's initials WR

Page 4 of 5 Date 8-9-16

Witness's initials AD

- 6/30/16 - CAMILLE CAME IN LATE (9:15), THEN TOOK A LONG UNCH (11:45-2:10) & LEFT EARLY (3:00) TO TRAVEL TO ESSEX CO. w/ RICHARD ERNST FOR A POLITICAL EVENT. ALSO, I OVERHEARD R. ERNST TELL CAMILLE THAT HE'D TEXTED STACEY DIRECTIONS & HAD DECIDED WHERE TO MEET TO GO TO ESSEX CO. DURING THE DAY (11:45 AM, & 2:10 PM) FOR TRAVEL TO POLITICAL EVENT. SHE LEFT THE OFFICE AT 3:00 PM. TO TRAVEL TO ESSEX CO. AFTER MTG. / PICKING UP OTHERS, ETC.
- 7/1/16 - CAMILLE & R. ERNST DISCUSSED PAST & FUTURE POLITICAL EVENTS THEY DID, & WILL ATTEND INCLUDING: PARADES, TOWN HALL MTGS., COUNTY FAIRS, ETC. & VIEWED PICTURES ON FACEBOOK. CAMILLE DISCUSSED UPCOMING POLITICAL CAMPAIGN FUNDRAISER. SHE WAS HAVING (WILL BE 7/12/16) W/ R. ERNST AT A WINE BAR (?) IN SCHENECTADY.
- 7/5/16 - CAMILLE SENT E-MAIL THAT SHE WAS COMING IN LATE, BUT THEN E-MAILED LATER THAT SHE WAS TAKING THE DAY OFF. SHE'D ALSO E-MAILED R. ERNST THIS INFO. & HE STATED THAT SHE WAS EXHAUSTED FROM A HECTIC WEEKEND OF POLITICAL CAMPAIGNING. R. ERNST THEN SHOWED ONLINE / FACEBOOK PICTURES OF POLITICAL EVENTS SHE'D ATTENDED OVER THE WEEKEND ON HIS PERSONAL CELL, ALL.
- 7/12/16 - CAMILLE ARRIVED (AT 9:15) LATE WITHOUT A CALL OR E-MAIL INDICATING SHE WOULD BE LATE. CAMILLE & RICHARD ERNST DISCUSSED POLITICAL CONTRACTS & SHARED TEXTS REGARDING CAMPAIGN CONTRIBUTIONS / FUNDS (9:30-9:45 AM).



New York State Department of Taxation and Finance

Office of Internal Affairs

OIA-23-C

(1/14)

Affidavit Continuation

Affiant's name MARY A. RIVERSAffiant's initials MRPage 3 of 5Date 8-9-16Witness's initials AD

- 7/25/16:

CAMIULE & RICHARD ERNST ("RICHARD") CONTINUED TO DISCUSS POLITICAL EVENTS SCHEDULED FOR THE UPCOMING WEEKEND THAT THEY WILL ATTEND TOGETHER & MADE TRAVEL PLANS FOR SAME (10:00 - 10:45 A.M.)

- 7/25/16 - CAMIULE & RICHARD TALKED ABOUT CONVERSATIONS & TEXTS w/ STACEY Y REGARDING CAMIULE'S POLITICAL CAMPAIGN & THEIR TRIP TO THE SARATOGA COUNTY FAIR OVER THE PREVIOUS WEEKEND.

- 7/26/16 - CAMIULE & RICHARD DISCUSSED HER POLITICAL CAMPAIGN & STRATEGIES / STAFF IN HIS OFFICE (8:45-9:45 A.M.) RICHARD RECEIVED A LETTER (ADDRESSED TO HIS AT HIS OFFICE AT WORK) TO VOUCH FOR / BE A REFERENCE FOR CAMIULE (SEE ATTACHED). THEY ALSO DISCUSSED UPCOMING POLITICAL EVENTS / TRAVEL IN HER OFFICE (11:30-11:50 A.M.). RICHARD MADE CALLS FROM HIS PERSONAL CELL PHONE, IN HIS OFFICE DURING WORK HOUR (11:45-12:15) REGARDING AN UPCOMING POLITICAL EVENT.

- 7/27/16 - CAMIULE LEFT EARLY (4:00) TO TRAVEL TO GOVERNOR, NY FOR A POLITICAL DINNER EVENT.

- 8/4/16 - RICHARD RECEIVED A CALL (SEE PHONE MESSAGE ATTACHED) AT 1:33 P.M. ON HIS MAIN / PUBLISHED OFFICE PHONE NO. FOR OFFICE OF PROFESSIONAL RESPONSIBILITY ("OPR"), FROM LAURE PARO (315-854-4036) WHO IS w/ THE INDEPENDENT JUDICIAL ELECTION QUALIFICATION COMMISSION REGARDING CAMIULE GIVING HIS NAME AS A REFERENCE.

Exhibit C

- ✓ 4/4 – Camille had a mtg. w/ BCMS supervisors/secretary to announce running for Supreme Court Judge & said it wouldn't affect this job & she'd be taking very little time off for same; then at end of same meeting stated she would be in late two (4/7/ & 4/8(?)) mornings due to breakfast campaign strategy meetings.
- ✓ 4/5 – Camille met with all BCMS staff via video conference to announce running for Supreme Court Judge.
- ✓ 4/7 – She came in (9:30) late due to breakfast campaign strategy meeting.
- ✓ 4/8 (?) – CSE arrived (10:00) late due to breakfast campaign strategy meeting.
- ✓ 4/8 – Camille ordered new/2nd cell. phone for campaign use, which will be left in the car.
- ✓ 4/11 – She met friend(s) downtown for extended political lunch (approx. 11:45-1:45).
- ✓ 4/15 – Camille left (2:30) early.*
- ✓ 4/18 – Camille took a long (11:30 – 1:00) lunch.
- ✓ 4/21 – She made calls outside/in car during lunch (12:0 0 – 1:30).
- ✓ 4/26 – She left (2:00) early to travel to Canton, NY for campaign event.
- ✓ 4/27 – Camille left (2:00) early.*
- ✓ 5/9 – She came in (10:00) late following political event breakfast.
- ✓ 5/10 – Camille arrived (10:30) late, due to a political breakfast meeting.
- ✓ 5/11 – She engaged in political business discussion on personal cell. phone in office (approximately 3:45 pm).
- ✓ 5/13 – She left (11:15) early for 2 political events: afternoon & evening (Lake Placid).
- ✓ 5/16 – Camille left (3:30) early.*

- 5/19 – Camille was involved in a political discussion re: fundraising on personal cell. phone while in the office (approximately 4:45 pm).
- 5/20 – CSE took a day off for Political business/networking (?).
- 5/23 – She arrived (11:00) late after attending early Democratic networking event.
- 5/24 – Camille left (3:30) early.*
- 5/25 – Camille was engaged in discussion with campaign associate regarding town politics & fundraising (4:15 – 4:45 pm) on personal cell. phone from office.
- 5/26 – Camille left (1:00) early to travel to political event in Lake Placid.
- 6/1 – She received a political-related call on her personal cell. phone at work, but said she couldn't talk about this now or on this phone at approx. 2:15 pm. Left (3:30) early. *
- 6/3 – Camille arrived late (10:45) from Dr. appt., then left for political 'working lunch' with a friend downtown (11:45 – 2:15) & later went to her car to make calls (approx. 2:45 – 3:15).

Notes: * = This indicates a date where Camille left early was to travel to a district that was far distance away & she was accompanied by Richard Ernst, but I don't know/recall the exact date & was unable to match it up on her/his calendars with my notes. Also, they have conversations during most days in sometimes hushed tones, but the subject is sometimes political & sometimes there are papers that are "buried" if someone walks by or into the office.

Commission Task Force Meetings: 4/20, 5/18, 6/15, 7/20, 8/17, 9/21 & 10/19 (scheduled for 2016 year, so far). (Note: Conducted via conference call from 9:30 – 11:30 & personal time is charged.)

Also, approximately during mid-month of May or so, it seemed apparent that Camille was 'tipped off' that she was being watched & she started becoming more compliant w/ the guidelines laid down by the Comr. & Ethics Officer (i.e., using 2nd cell. phone, taking time at lunch or late afternoon to go out to her car to make/receive political-related calls, more careful of 'political talk' in the office, etc.). I highly suspect that she was told by another source that she is to be very careful about what she says/does & is being watched. My theory is any one or all of the following: Richard Ernst, Barry Ginsberg &/or Rob Plattner. It seems like she can 'behave' & be compliant for a while, but just cannot seem to make this adjustment all of the time & feels entitlement to be able to do as she pleases in order to promote herself/her campaign by "taking care of business" any where or any time that she needs/wants to do so.

- 6/9/16 - CSE left at 1:30 to travel to Canton, NY for a political event. *(A)*
- ✓ 6/10/16 - At 10:30 (?) CSE complained to R. Ernst & B. Ginsburg regarding P. Neri being mean to her & asking their opinions/interpretations regarding sending e-mails to DTF addresses & if it was illegal or not.
- 6/10/16 - CSE went to her car to make political phone calls at 1:15, which was after taking a walk & eating lunch in her office (I thought these were to be done before/after work, on break or at lunch only) & grumbled about having to go outside when it was so hot in the car.
- ✓ 6/13/16 - CSE & R. Ernst were discussing upcoming political events in his office (11:00 – 11:15).
- 6/13/16 - CSE & R. Ernst discussed upcoming political events w/ staff at BCMS Service Awards Lunch/presentation (12:30 – 12:45).
- 6/16/16 - CSE was discussing political strategies with R. Ernst & was given one of her political advertising 'palm cards' (4:00-4:15).
- 6/24/16 (?) - CSE left (12:00) early to travel to Plattsburg, NY for a political event.
- ✓ 6/29/16 - CSE & R. Ernst discussed wording for political info. to be sent by her friend/campaign staffer (Stacey) & whether to use mail or via e-mail w/ attachments (10:45 – 11:00 & 4:20– 4:35).
- 6/30/16 - CSE in (9:15) late & took long lunch (11:45 – 2:10) & left for the day at 3:00 to travel to Essex Co. with R. Ernst (only charged time from 3:00 – 4:30).
- 6/30/16 - CSE & R. Ernst discussed when to leave & where to meet addl. people, directions to political event in Essex Co. (both charged time when they left early) during the day (11:45 & 2:10 pm). R. Ernst then texted CSE's friend/political campaign staffer (Stacey) directions.
- 6/30/16 - CSE & R. Ernst left early (3:00) to travel together to Essex Co. for a political event.

- 7/1/16 – CSE & R. Ernst discussed events of the day before throughout the day (i.e., trip, event & viewed on-line (Facebook?) pictures, etc.).
- 7/1/16 - CSE discussed having a political fundraiser she was planning at a Schenectady Wine Bar (talked about scheduling for 7/12/16) & invited me to attend, but asked for my home address to send the invitation (as of 7/11/16, no invitation sent).
- 7/5/16 – CSE sent email that she was taking off the morning, but would be in later in the day. Also, per R. Ernst from an e-mail he received from her, he told me that she was very tired from her busy political schedule over the wknd. Then later in the day, she emailed again to stay that she wouldn't be coming in at all.
- 7/5/16 – R. Ernst showed me some pictures/campaign advertising that she had posted on Facebook in the office.
- 7/7/16 – CSE & R. Ernst discussed political strategies on how to best run her campaign (i.e., wording of e-mails, staff, etc.)

- 7/21/16 – CSE came in (9:15 a.m. late & w/ no calendar entry/time used) & did not call/text/e-mail indicating same.
- 7/21/16 – CSE & RE discussed political contacts & shared texts regarding campaign contributions (9:30 – 9:45 a.m.).
- 7/21/16 – CSE & RE discussing political events scheduled for upcoming weekend that they'll be attending & made travel plans (10:00 – 10:15 a.m.).
- 7/25/16 – CSE & RE talked about discussion/texts with Stacey regarding her political campaign & their trip to the Saratoga Co. Fair over the weekend.
- 7/26/16 – Camille & Richard discussed her political campaign, strategies & staff in her office (8:45 – 9:00 a.m.). Richard received a letter at the office (see attached) to vouch for/be a reference for Camille. They also discussed upcoming political events & travels in her office (11:30 – 11:50 a.m.).
- 7/26/16 – Richard made political calls from his personal cell. phone during work hours from his office regarding upcoming event (11:45 – 12:15 p.m.).
- 7/27/16 – Camille left early (4:00 p.m.) for a trip to Gouvernor, NY (3 hrs. away) for a political event.
- 7/29/16 – Richard received several calls (3) on the work (OPR) phone (main/public phone line) from the Board of Elections (474-6220) & last one was at approx. 3:57 p.m.
- 7/29 - R. ERNST WENT TO HIS CAR TO MAKE PHONE CALLS ON PERSONAL PHONE (FOR APPROX. 20 MINS.)

- 8/4/16 – Richard Ernst received a phone call (1:33 p.m./see attached copy of written phone message) at work (on main/published/secretary's phone line) from Laurie Paro (315-854-4036/cell. ph.) who is with The Independent Judicial Election Qualification Commission to get a reference from him for Camille.

(NOTE: Camille & Richard have numerous discussions regarding her political campaign, upcoming events & fundraising, etc. several times during the work day & very nearly every single day throughout the course of each day; while also sharing info. on phone calls & texts, as well as updates on her FaceBook page (i.e., how many 'likes' she now has), upcoming political events & locations to make appearances, etc.)

Please see copies of letters to rep. & t/p that she sent dealing with specific issues & staff are not in agreement with how they are handled or how she does/words the correspondence.

Exhibit D

Date	LATS recorded time	LATS Absent time	Allegation of out of office time	Area of concern
4/4/2016			CSE announced running for political office	
4/5/2016			Video conference @ running for Supreme Court	
4/7/2016	7	0.5 Vac	Came in late at 9:30, campaign strategy	
4/8/2016	7.5	0	Came in late, 10 am, campaign breakfast	Did not charge 2 hours
4/11/2016	7.5	0	Out of office from 11:45 am to 1:45 pm	Did not charge time
4/13/2016		7.5	Sick	
4/15/2016	3.5	4 per	Left early at 2:30	
4/18/2016	7.5	0	Took long lunch, 11:30 to 1	Did not charge time
4/21/2016	7.5	0	Calls in car from 12 to 1:30 pm	Did not charge time
4/26/2016	5	2.5 per	Left early(2 pm) to travel to Canton NY for campaign event	
4/27/2016	5.25	1.75 per	Left early, 2 pm	Charged 1.75 hours, not 2
5/9/2016	6.25	1.25 per	Came in late, 10 am following political breakfast	Did not charge 2 hours
5/10/2016	6.25	1.25 per	Came in late, 10:30, following political breakfast	Did not charge 2.5 hours
5/11/2016	7.5	0	Political business on personal cell 3:45 pm	Did not charge time
5/13/2016	3	4.5 per	Left at 11:15 for political event in Lake Placid	
5/16/2016	6.5	1 per	Left early, 3:30	
5/19/2016	7.5	0	Personal cell political discussion @ fundraising, 4:45 pm	Did not charge time
5/20/2016	0	7.5 sick family	Day off for political business/networking	
5/23/2016	5.5	2 per	Came in late, 11 am, networking event	Did not charge 3 hours
5/24/2016	6.75	0.75 per	Left early, 3:30	
5/25/2016	7.5	0	Political phone call from 4:15 -4:45, personal cell	Did not charge time
5/26/2016	4.5	3 per	Left early to travel to event in Lake Placid (1 pm)	
6/1/2016	6.5	1 per	2:15 received political call, left early at 3:30	
			Late 10:45 for DR appointment, 11:45 to 2:15 for late lunch, calls in car 2:45 to 3:15	
6/3/2016	4.5	2 VAC/1 Pers.		
6/6/2016	7.5	0		
6/7/2016	7.5	0		
6/8/2016	4.5	3 sick family		
6/9/2016	4.25	3.25 personal	CSE left at 1:30 to travel to Canton for political event	
			CSE in at 10:30, complained to Ernst & Ginsburg that Neri is being mean to her & asking their opinions/interpretations regarding sending emails to DTF addresses & if it was illegal or not. Went to car at 1:15 after walking and eating lunch to makes calls	did not charge time
6/10/2016	7.5	0		

Date	LATS recorded time	LATS Absent time	Allegation of out of office time	Area of concern
6/13/2016	7	.50 personal	CSE & Ernst were discussing upcoming political events in his office (11-11:15). CSE & Ernst discussed upcoming political events w/staff at BCMS service awards lunch/presentation (12:30-12:45)	
6/15/2016	5.25	2.25 personal		
6/16/2016	7.5	0	CSE discussing political strategies with Ernst & was given one of political advertising palm cards (4-4:15)	
6/17/2016	7.5	0		
6/20/2016	5.5	1.50 vac/.50 per		
6/21/2016	6.5	1.0 vac		
6/22/2016	6.25	1.25 VRWS		
6/23/2016	7.5	0		
6/24/2016	4	3.50 sick	CSE left at 12 early to travel to Plattsburg for political event	
6/27/2016	7.5	0		
6/28/2016	7.5	0		
6/29/2016	7.25	.25 sick	CSE & Ernst discussed wording for political info to be sent by her friend/campaign staffer Stacey & whether to use mail or via email w/attachments(10:45 to 11), (4:20 to 4:35)	
6/30/2016	3.25	3.25 VRWS	CSE in late (9:15) late and took long lunch (11:45 to 2:10) & left for day at 3 to travel to Essex Co. with Ernst (only charged time from 3-4:30). CSE & Ernst discussed when to leave & where to meet additional people, directions to political event in Essex Co. (both charged time when they left early) during day 11:45 & 2:10 Ernst texted CSE's friend/political staffer Stacey directions. CSE & Ernst left early at 3 pm to travel to Essex Co for political event.	
7/1/2016	7.5	0	CSE & Ernst discussed events of the day before throughout the day (i.e. trip, event & viewed online-(Facebook) pictures). CSE discussed political fundraiser she was planning at a Schenectady Wine Bar (talked about scheduling for 7/12/16 event & invited me to attend, but asked for my home address to send the invitation)	
7/4/2016	HOLIDAY	0		
7/5/2016		7.50 VRWS	CSE sent email that she was taking off the morning but would be in late in day. Per Ernst he received an email from her that she was very tired from political schedule over the weekend and she would not be coming in at all. Ernst showed me some pictures/campaign advertising that she had posted in the office.	
7/6/2016	7.5	0		

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Date	LATS recorded time	LATS Absent time	Allegation of out of office time	Area of concern
7/7/2016	7.5	0	CSE & Ernst discussed political strategies on how to best run her campaign	How long?
7/8/2016	7.5	0		
7/11/2016	7.5	0		
7/12/2016	7	.50 VRWS		
7/13/2016	7.5	0		
7/14/2016	7.5	0		
7/15/2016	6.5	1.0 VRWS		
7/18/2016	3.5	4.0 sick		
7/19/2016	5.25	2.25 VRWS		
7/20/2016	6.25	1.25 VRWS		
7/21/2016	7	.50 VRWS	CSE came in at 9:15 late with no calendar entry/time used and did not call/text/email indicating same. CSE RE discussed political events schedule for upcoming weekend and travel plans (10-10:15)	
7/22/2016	7.5	0		
7/25/2016	7.5	0	CSE & RE talked about discussions/texts with Stacey regarding her political campaign & their trip to the Saratoga County Fair over weekend	
7/26/2016	6.75	.75 VRWS	CSE & RE discussed her political campaign strategies & staff in her office, 8:45 to 9 am) RE received a letter at the office (see attached) to vouch for/be a reference for CSE. They also discussed upcoming political events & travels in her office (11:30 to 11:45) RE made political calls from his personal cell during work hours from his office regarding upcoming event (11:45 to 12:15)	
7/27/2016	3.5	4.0 VRWS	CSE left early (4 pm) for trip to Gouvernor, NY for political event	
7/28/2016	7.5	0		
7/29/2016	7.5	0	RE received several calls (3) in the work (OPR) phone main/public phone line from the Board of Elections (474-6220) & last one was at approximately 3:57 pm). RE went to his car to make phone calls on personal cell phone (approx. 20 min)	
8/1/2016				
8/2/2016				
8/3/2016				

DEFS00735

Date	LATS recorded time	LATS Absent time	Allegation of out of office time	Area of concern
8/4/2016			RE received a phone call (1:33 pm/see attached copy of written phone message) at work (on main/published/secretary's phone line) from Laurie Paro (315-854-4036 cell) who is the Independent Judicial Election Qualification Commission to get a reference from him for Camille	

DEFS000736

Exhibit E



Affidavit

State of
New York
County ofAlbanyPage 1 of 2

1. Lisa M. Surprenant

, Date of birth /62, state that:

I reside at Bldg. #9, Rm. 239, OFFICE of the Taxpayer Right. I am an Admin. Assistant. Ge. 18 for 2 yrs. For NYS. Dept. of Tax & Fin. On 7/14/16 at approx. 8¹⁵AM. Richard Ernst approached my desk and asked me if I had rec'd an invitation to Carnille Siano Enders Political Campaign Fundraiser. I stated that I did not. He then asked if I needed the address to pledge to her campaign. I immediately said no, I do not participate in any political campaigns or contribute to fundraisers of the same. He had his cell phone in his hand at the time and when he asked, looked like he was ready to pull up the campaign address to share with me if I had answered yes to his question. This made me very uncomfortable and I immediately reported this

I have read the foregoing statement consisting of 2 page(s). I made this statement freely and voluntarily, without any threats or rewards or promises of reward having been made to me in return for it.

I understand that knowingly making a false written statement is punishable as a Class A Misdemeanor pursuant to section 210.45 of the New York State Penal Law.

Subscribed and sworn to
before me this 14 day

of July, 2016

at WA Harriman Campus Bld A, Rm 938 Albany NY

Michele Somolotske
Name

Michele J. Jum
Signature

Criminal Investigator
Title

Signature of affiant

Lisa M. Surprenant

Printed name of witness

Scott Geller
Signature of witness



Office of Internal Affairs

Affidavit Continuation

Affiant's name Lisa M. SurprenantAffiant's initials LMSPage 2 of 2Date 7/14/14Witness's initials SL

to my supervisor Margaret Neri when she arrived at work, approximately 8⁴⁰ AM. I have also been asked by Camille Siano Enders on 7/13/16 if I had received an invitation to her Campaign fundraiser which had occurred the evening before her request. (7/12/16). I said no, I have not and that I did not know anything about the event. She was very upset and stated my name and address had been given to one of her volunteers who would be sending the invitations out. I have on several occasions had Camille stop at my desk and talk about her campaign. She mentions how tired she is and how much traveling she does to attend all the events. One ^{one} occasion she asked me if my husband had friended her Campaign Facebook account. I said no. She did not ask me why because she was texting someone, as she tried to have a conversation with me. Many times when she stops to chat she is texting. She has made comments that she wished the person would ask her the questions when she is present at the events and not when she is working.